

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Demarko Hall,

Plaintiff,

v.

Ronald Oliver, *et al.*,

Defendants.

Case No. 2:24-cv-00208-CDS-EJY

ORDER

Plaintiff submitted an incomplete application to proceed *in forma pauperis* (“IFP”) together with a Civil Rights Complaint under 42 U.S.C. § 1983 on January 30, 2024,. ECF Nos. 1, 1-1. Plaintiff’s IFP fails to include his inmate trust fund account statement for the previous six-month period. Even if Plaintiff has not been in the custody of the Nevada Department of Corrections (“NDOC”) facility a full six-month period, Plaintiff must submit his inmate trust fund account statement for the dates he has been at an NDOC facility. 28 U.S.C. § 1915(a)(2); Local Rule LSR 1-2.

Accordingly, IT IS HEREBY ORDERED that Plaintiff’s application to proceed *in forma pauperis* (ECF No. 1) is DENIED without prejudice.

IT IS FURTHER ORDERED that on or before **April 12, 2024**, Plaintiff must either pay the \$405 filing fee for a civil action¹ or file with the Court: (1) a complete **Application to Proceed in Forma Pauperis for Inmate** on the Court’s approved form; (2) a **Financial Certificate** properly signed by both the inmate and a prison or jail official; and (3) a copy of the **inmate’s prison or jail trust fund account statement for the previous six-month period**.

IT IS FURTHER ORDERED that the Clerk of the Court must send Plaintiff the approved form application to proceed *in forma pauperis* for inmate along with the information and instructions for filing the same.

¹ As of December 1, 2023, the fee for filing a civil-rights action is \$405, which includes the \$350 filing fee and the \$55 administrative fee. See 28 U.S.C. § 1914(b).

1 IT IS FURTHER ORDERED that failure to either pay the \$405 filing fee or file a complete
2 application to proceed *in forma pauperis* on or before **April 12, 2024**, will result in a
3 recommendation to dismiss this action **without prejudice**. A dismissal without prejudice allows
4 Plaintiff to file his case with the Court, under a new case number, when he is able to comply with
5 LSR 2-1 and file a complete application to proceed *in forma pauperis* or pay the required filing fee.

6 IT IS FURTHER ORDERED that the Court will retain Plaintiff's Complaint (ECF No. 1-1)
7 but will not file it at this time.

8 DATED this 10th day of February, 2024.

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11 ELAYNA J. YOUCHAK
12 UNITED STATES MAGISTRATE JUDGE
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